ESTTA Tracking number:

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Filing date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92048989
Party	Plaintiff Top Tobacco, LP
Correspondence Address	ANTONY J. McSHANE NEAL GERBER & EISENBERG LLP 2 N LASALLE ST, SUITE 1700 CHICAGO, IL 60602 UNITED STATES apeterson@ngelaw.com, amcshane@ngelaw.com, mkelber@ngelaw.com, hmann@ngelaw.com
Submission	Withdrawal of Cancellation
Filer's Name	Antony J McShane
Filer's e-mail	apeterson@ngelaw.com, amcshane@ngelaw.com
Signature	/Antony J McShane/
Date	07/22/2010
Attachments	AMPHORA Withdrawal.pdf (2 pages)(32995 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Registration Nos. 2,950,896, and 3,328,623

TOP TOBACCO, LP)
Petitio	ner,)
v.) Cancellation No. 92048989
)
VAN NELLE TABAK NEDERLA	ND BV,
Respon	dent.)

PETITIONER'S WITHDRAWAL OF CANCELLATION PETITION WITH PREJUDICE

Pursuant to 37 C.F.R. § 2.114(c) and a Settlement Agreement binding upon the parties, Petitioner, TOP TOBACCO, L.P. hereby withdraws the above-identified consolidated petition for cancellation with prejudice.

Respectfully submitted,

TOP TOBACCO L.P.

July 22, 2010

Antony J. McShane

Neal, Gerber & Eisenberg LLP

Two North LaSalle Street

Suite 2200

Chicago, IL 60602

(312) 269-8000

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing PETITIONER'S WITHDRAWAL OF CANCELLATION PETITION WITH PREJUDICE was sent by first class U.S. mail, postage prepaid to:

Brewster Taylor STITES & HARBISON PLLC 1199 North Fairfax Street, Suite 900 Alexandria, Virginia 22314

July 22, 2010

Antony J. McShane